

1 *[Counsel for Parties listed on signature pages]*

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 MARTIN LEWIS, AARON COOPER, and
12 ANISSA SCHILLING, on behalf of themselves
and a class of those similarly situated,

13 Plaintiffs,

14 v.

15 WELLS FARGO & CO.,

16 Defendant.

Case No. 08-cv-2670 CW

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**JOINT REPORT, STIPULATION
AND ORDER CONTINUING
DEADLINES SET FORTH IN
DECEMBER 18, 2009 CASE
MANAGEMENT ORDER**

1 WHEREAS, the Court entered a Case Management Order on December 18, 2009, setting
2 forth certain dates for discovery, dispositive motions, and trial;

3 WHEREAS, on April 22, 2010, the Court heard argument from the parties on Plaintiffs'
4 Motion for Class Certification;

5 WHEREAS, the Court has not yet ruled on Plaintiffs' Motion for Class Certification;

6 WHEREAS, on July 22, 2010, upon Stipulation of the Parties, the Court stayed all
7 discovery deadlines and the pending Motion for Class Certification while the parties engaged in
8 mediation;

9 WHEREAS, on November 8, 2010, the Parties participated in mediation with Mr. Jeffrey
10 A. Ross. While the mediation did not result in a settlement on that day, the Parties continued to
11 work with Mr. Ross towards a resolution;

12 WHEREAS, on December 15, 2010, the Court approved the Parties' stipulation to
13 continue to stay discovery and the Motion for Certification and to jointly report to the Court by
14 January 14, 2011 as to whether the case has been resolved; and

15 WHEREAS, on January 10, 2011, the Parties reached a resolution under Mr. Ross's
16 supervision.

17 The Parties hereby stipulate and agree that:

- 18 1. All discovery deadlines are hereby stayed while the Parties prepare a final written
19 settlement agreement, the motion for preliminary approval, and the motion for final
20 approval.
- 21 2. Plaintiffs' pending Motion for Class Certification is hereby stayed while the Parties
22 prepare a final written settlement agreement, the motion for preliminary approval, and
23 the motion for final approval.

1 Dated: January 14, 2011

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15 Dated: January 14, 2011

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25 *Attorneys for Defendant Wells Fargo Bank, N.A.*

ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED. **The parties should file their motion for preliminary approval of settlement on or before Feb. 17, 2011.**

Dated: January 19, 2011


Hon. Claudia Wilken
United States District Judge